

CHAPTER 121  
CONTINUING EDUCATION FOR HEARING AID DEALERS

**645—121.1(154A) Definitions.** For the purpose of these rules, the following definitions shall apply:  
“*Active license*” means the license of a person who is acting, practicing, functioning, and working in compliance with license requirements.

“*Administrator*” means the administrator of the board of examiners for the licensing and regulation of hearing aid dealers.

“*Approved program/activity*” means a continuing education program/activity meeting the standards set forth in these rules, which has received approval by the board pursuant to these rules.

“*Approved sponsor*” means a person or an organization sponsoring continuing education activities that has been approved by the board as a sponsor pursuant to these rules. During the time an organization, educational institution, or person is an approved sponsor, all continuing education activities of such organization, educational institution, or person shall be deemed automatically approved.

“*Audit*” means the selection of licensees for verification of satisfactory completion of continuing education requirements during a specified time period or the selection of providers for verification of adherence to continuing provider requirements during a specified time period.

“*Board*” means the board of examiners for the licensing and regulation of hearing aid dealers.

“*Continuing education*” means planned, organized learning acts acquired during initial licensure designed to maintain, improve, or expand a licensee’s knowledge and skills in order for the licensee to develop new knowledge and skills relevant to the enhancement of practice, education, or theory development to improve the safety and welfare of the public.

“*Hour of continuing education*” means a clock hour spent by a licensee in actual attendance at and completion of approved continuing education activity.

“*Inactive license*” means the license of a person who is not engaged in practice in the state of Iowa.

“*Lapsed license*” means a license that a person has failed to renew as required, or the license of a person who has failed to meet stated obligations for renewal within a stated time.

“*License*” means license to practice.

“*Licensee*” means any person licensed to practice as a hearing aid dealer in the state of Iowa.

**645—121.2(154A) Continuing education requirements.**

**121.2(1)** The biennial continuing education compliance period shall extend for a two-year period beginning on January 1 of each odd-numbered year and ending on December 31 of the next even-numbered year. Each biennium, each person who is licensed to practice as a hearing aid dealer in this state shall be required to complete a minimum of 32 hours of continuing education approved by the board.

**121.2(2)** Requirements for new licensees. Those persons licensed for the first time shall not be required to complete continuing education as a prerequisite for the first renewal of their licenses. Continuing education hours acquired anytime from the initial licensing until the second license renewal may be used. The new licensee will be required to complete a minimum of 32 hours of continuing education per biennium for each subsequent license renewal.

**121.2(3)** Hours of continuing education credit may be obtained by attending and participating in a continuing education activity. These hours must be approved by the board or otherwise meet the requirements herein pursuant to statutory provisions and the rules that implement them.

**121.2(4)** No hours of continuing education shall be carried over into the next biennium except as stated for the second renewal.

**121.2(5)** It is the responsibility of each licensee to finance the cost of continuing education.

**645—121.3(154A) Standards for approval.**

**121.3(1) General criteria.** A continuing education activity which meets all of the following criteria is appropriate for continuing education credit if it is determined by the board that the continuing education activity:

- a. Constitutes an organized program of learning which contributes directly to the professional competency of the licensee;
- b. Pertains to subject matters which integrally relate to the practice of the profession;
- c. Is conducted by individuals who have specialized education, training and experience by reason of which said individuals should be considered qualified concerning the subject matter of the program. An application must be accompanied by a paper, manual or outline which substantively pertains to the subject matter of the program and reflects program schedule, goals and objectives. The board may request the qualifications of the presenters;
- d. Fulfills stated program goals, objectives, or both; and
- e. Provides proof of attendance to licensees in attendance including:
  - (1) Date, place, course title, presenter(s);
  - (2) Number of program contact hours (One contact hour equals one hour of continuing education credit.); and
  - (3) Official signature or verification by program sponsor.

**121.3(2) Specific criteria.**

- a. Continuing education hours of credit may be obtained by completing the following:
  - (1) Academic coursework if the coursework is offered by an accredited postsecondary educational institution;
  - (2) Self-study telnet courses only when an on-site monitor is present;
  - (3) Continuing education activities of an approved sponsor;
  - (4) Continuing education activities that have prior approval.
- b. The maximum number of continuing education hours of credit for academic coursework per biennium is:
  - (1) Twelve hours of credit for academic coursework:  
1 academic semester hour = 15 continuing education hours  
1 academic quarter hour = 10 continuing education hours
  - (2) Eight hours of credit for participation in technical, business, or professional seminars, workshops or symposiums which enhance a licensee's ability to provide quality hearing health care services.
  - (3) Four hours of credit for telnet courses.

**645—121.4(154A) Approval of sponsors, programs, and activities for continuing education.**

**121.4(1) Approval of sponsors.** An applicant who desires approval as a sponsor of courses, programs, or other continuing education activities shall, unless exempted elsewhere in these rules, apply for approval to the board on the form designated by the board stating the applicant's educational history for the preceding two years or proposed plan for the next two years.

- a. The form shall include the following:
  - (1) Date(s), location, course title(s) offered and outline of content;
  - (2) Total hours of instruction presented;
  - (3) Names and qualifications of instructors, including résumés or vitae; and
  - (4) Evaluation form(s).
- b. Records shall be retained by the sponsor for four years.
- c. Attendance record report. The person or organization sponsoring an approved continuing education activity shall provide a certificate of attendance or verification to the licensee providing the following information:
  - (1) Program date(s);
  - (2) Course title and presenter;

- (3) Location;
- (4) Number of clock hours attended and continuing education hours earned;
- (5) Name of sponsor and sponsor number;
- (6) Licensee's name; and
- (7) Method of presentation.

d. All approved, accredited sponsors shall maintain a copy of the following:

- (1) The continuing education activity;
- (2) List of enrolled licensees' names and license numbers; and
- (3) Number of continuing education clock hours awarded for a minimum of four years from the date of the continuing education activity.

e. The sponsor shall submit a report of all continuing education programs conducted in the previous year during the assigned month for reporting designated by the board. The report shall include:

- (1) Date(s), location, course title(s) offered and outline of content;
- (2) Total hours of instruction presented;
- (3) Names and qualifications of instructors including résumés or vitae;
- (4) Evaluation form(s); and
- (5) A summary of the evaluations completed by the licensees.

**121.4(2) *Prior approval of programs/activities.*** An organization or person other than an approved sponsor that desires prior approval of a course, program or other education activity or that desires to establish approval of such activity prior to attendance shall apply for approval to the board on a form provided by the board at least 60 days in advance of the commencement of the activity. The board shall approve or deny such application in writing within 30 days of receipt of such application. The application shall state:

- a. The date(s);
- b. Course(s) offered;
- c. Course outline;
- d. Total hours of instruction; and
- e. Names and qualifications of speakers and other pertinent information.

The organization or person shall be notified of approval or denial by ordinary mail.

**121.4(3) *Review of programs.*** Sponsors shall report continuing education programs every year at a time designated by the board. The board may at any time reevaluate an approved sponsor. If, after reevaluation, the board finds there is cause for revocation of the approval of an approved sponsor, the board shall give notice of the revocation to that sponsor by certified mail. The sponsor shall have the right to hearing regarding the revocation. The request for hearing must be sent within 20 days after the receipt of the notice of revocation. The hearing shall be held within 90 days after the receipt of the request for hearing. The board shall give notice by certified mail to the sponsor of the date set for the hearing at least 30 days prior to the hearing. The board shall conduct the hearing in compliance with rule 645—11.9(17A).

**121.4(4) *Postapproval of activities.*** A licensee seeking credit for attendance and participation in an education activity which was not conducted by an approved sponsor or otherwise approved shall submit to the board, within 60 days after completion of such activity, the following:

- a. The date(s);
- b. Course(s) offered;
- c. Course outline;
- d. Total hours of instruction and credit hours requested;
- e. Names and qualifications of speakers and other pertinent information;
- f. Request for credit which includes a brief summary of the activity; and
- g. Certificate of attendance or verification.

Within 90 days after receipt of such application, the board shall advise the licensee in writing by ordinary mail whether the activity is approved and the number of hours allowed. A licensee not complying with the requirements of this subrule may be denied credit for such activity.

**121.4(5) *Voluntary relinquishment.*** The approved sponsor may voluntarily relinquish sponsorship by notifying the board office in writing.

**645—121.5(154A) Reporting continuing education by licensee.** At the time of license renewal, each licensee shall be required to submit a report on continuing education to the board on a board-approved form.

**121.5(1)** The information on the form shall include:

- a. Title of continuing education activity;
- b. Date(s);
- c. Sponsor of the activity;
- d. Board-approved sponsor number;
- e. Number of continuing education hours earned; and
- f. Teaching method used.

**121.5(2)** Audit of continuing education report. After each educational biennium, the board will audit a percentage of the continuing education reports before granting the renewal of licenses to those being audited.

a. The board will select licensees to be audited.  
b. The licensee shall make available to the board for auditing purposes a copy of the certificate of attendance or verification for all reported activities that includes the following information:

(1) Date, location, course title, schedule (brochure, pamphlet, program, presenter(s)), and method of presentation;

(2) Number of contact hours for program attended; and

(3) Copy of official transcript of college courses.

(4) For activities not provided by an approved sponsor, the licensee shall submit a description of the program content which indicates that the content is integrally related to the practice and contributes directly to the provision of services to the public.

c. For auditing purposes, the licensee must retain the above information for two years after the biennium has ended.

d. Submission of a false report of continuing education or failure to meet continuing education requirements may cause the license to lapse and may result in formal disciplinary action.

e. All renewal license applications that are submitted late (after the end of the compliance period) may be subject to audit of the continuing education report.

f. Failure to receive the renewal application shall not relieve the licensee of responsibility of meeting continuing education requirements and submitting the renewal fee by the end of the compliance period.

**645—121.6(154A) Reinstatement of lapsed license.** Failure of the licensee to renew within 30 days after expiration date shall cause the license to lapse. A person who allows the license to lapse cannot engage in practice in Iowa without first complying with all regulations governing reinstatement as outlined in the board rules. A person who allows the license to lapse may apply to the board for reinstatement of the license. Reinstatement of the lapsed license may be granted by the board if the applicant:

1. Submits a written application for reinstatement to the board;
2. Pays all of the renewal fees then due, up to a maximum of five bienniums;
3. Pays all penalty fees which have been assessed by the board for failure to renew;
4. Pays reinstatement fees; and

5. Provides evidence of satisfactory completion of Iowa continuing education requirements during the period since the license lapsed. The total number of continuing education hours required for license reinstatement is computed by multiplying 32 by the number of bienniums since the license lapsed. If the license has lapsed for three bienniums or less, the applicant for reinstatement may, in lieu of submitting the required continuing education, furnish evidence of successful completion, with a passing grade, of the Iowa license examinations conducted within one year immediately prior to the submission of the application for reinstatement. If the license has lapsed for more than three bienniums, the applicant shall complete 96 hours of approved continuing education.

6. If the applicant for reinstatement holds a current valid hearing aid dealer's license in another state whose requirements meet or exceed the requirements of Iowa, the applicant shall submit:

- A written application on a form provided by that state's board;
- Proof of current valid hearing aid dealer's license;
- The current renewal fee;
- The fee for failure to renew; and
- Proof of continuing education hours obtained equivalent to continuing education required in Iowa.

**645—121.7(154A,272C) Continuing education waiver for active practitioners.** A hearing aid dealer licensed to practice shall be deemed to have complied with the continuing education requirements of this state during the period that the licensee serves honorably on active duty in the military services or as a government employee outside the United States as a practicing hearing aid dealer.

**645—121.8(154A,272C) Continuing education waiver for inactive practitioners.** A licensee who is not engaged in practice in the state of Iowa may be granted a waiver of continuing education compliance and obtain a certificate of exemption upon written application to the board. The application shall contain a statement that the applicant will not engage in practice as a hearing aid dealer in Iowa without first complying with all regulations governing reinstatement after exemption. The application for a certificate of exemption shall be submitted upon forms provided by the board.

**645—121.9(154A,272C) Continuing education waiver for disability or illness.** The board may, in individual cases involving disability or illness, grant waivers of the minimum education requirements or extension of time within which to fulfill the same or make the required reports. No waiver or extension of time shall be granted unless written application therefor is made on forms provided by the board and signed by the licensee and appropriate licensed health care practitioners. The board may grant a waiver of the minimum educational requirements for any period of time not to exceed one calendar year from the onset of disability or illness. In the event that the disability or illness upon which a waiver has been granted continues beyond the period of waiver, the licensee must reapply for an extension of the waiver. The board may, as a condition of any waiver granted, require the applicant to make up a certain portion or all of the minimum educational requirements waived by such methods as may be prescribed by the board.

**645—121.10(154A,272C) Reinstatement of inactive practitioners.** Inactive practitioners who have been granted a waiver of compliance with these rules and obtained a certificate of waiver shall, prior to engaging in practice as a hearing aid dealer in the state of Iowa, satisfy the following requirements for reinstatement.

**121.10(1)** Submit written application for reinstatement to the board upon forms provided by the board with appropriate reinstatement fee and the current renewal fee.

**121.10(2)** Furnish evidence of completion of 32 hours of approved continuing education per biennium up to a maximum of 64 hours of continuing education. The continuing education hours must be completed within the prior two bienniums of date of application for reinstatement.

**121.10(3)** Furnish in the application evidence of one of the following:

*a.* Proof of current valid hearing aid dealer's license in another state of the United States or the District of Columbia and completion of continuing education for each year of inactive status substantially equivalent in the opinion of the board to that required under these rules; or

*b.* Proof of successful completion, with a passing grade, of the Iowa state license examination conducted within one year immediately prior to the submission of the application for reinstatement.

**645—121.11(272C) Hearings.** In the event of denial, in whole or part, of any application for approval of a continuing education program or credit for continuing education activity, the applicant, licensee or program provider shall have the right within 20 days after the sending of the notification of denial by ordinary mail to request a hearing which shall be held within 90 days after receipt of the request for hearing. The hearing shall be conducted by the board or an administrative law judge designated by the board, in substantial compliance with the hearing procedure set forth in rule 645—11.9(17A).

These rules are intended to implement Iowa Code section 272C.2 and chapter 154A.

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#### CHAPTER 122

##### PETITIONS FOR RULE MAKING

Rescinded IAB 8/25/99, effective 9/29/99

#### CHAPTER 123

##### AGENCY PROCEDURE FOR RULE MAKING

Rescinded IAB 8/25/99, effective 9/29/99

#### CHAPTER 124

##### CHILD SUPPORT NONCOMPLIANCE

Rescinded IAB 8/25/99, effective 9/29/99

#### CHAPTER 125

##### IMPAIRED PRACTITIONER REVIEW COMMITTEE

Rescinded IAB 8/25/99, effective 9/29/99

#### CHAPTERS 126 to 128

Reserved

#### CHAPTER 129

##### PUBLIC RECORDS AND FAIR INFORMATION PRACTICES

Rescinded IAB 8/25/99, effective 9/29/99